



City of Marietta Meeting Minutes COMMITTEE OF THE WHOLE

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

William B. Dunaway, Mayor
Annette Paige Lewis, Ward 1
Grif Chalfant, Ward 2
Holly Marie Walquist, Ward 3
Irvan A. "Van" Pearlberg, Ward 4
Rev. Anthony Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Thursday, September 3, 2009

5:15 PM

4th Floor Conference Room

Presiding: William B. Dunaway

Present: Philip M. Goldstein, Jim King, Rev. Anthony Coleman, Holly Walquist, Grif Chalfant and Annette Lewis

Absent: Van Pearlberg

Also Present:

William F. Bruton, Jr. City Manager

Douglas R. Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor William B. Dunaway called the meeting to order at 5:16 p.m.

MINUTES:

20090880 Regular Meeting - August 10, 2009

Review and approval of the August 10, 2009 regular meeting minutes.

A motion was made by Council member King, seconded by Council member Chalfant, that this matter be Approved. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

BUSINESS:

20090965 Reimbursement Resolution

Motion to approve document attached as document number 1. Explanation: This Resolution sets forth the City's intent to request the issuance of tax-exempt bonds or taxable Build America Bonds by the Downtown Marietta Development Authority ("DMDA") to finance various capital projects of the City and to reimburse the City from bond proceeds for project expenses advanced by the City prior to the issuance of the bonds. The City will be spending funds for this project in advance of the issuance of the bonds. The Internal Revenue Service requires the adoption of a "reimbursement resolution" whenever an issuer plans to reimburse expenditures made prior to the issuance of bonds from bond proceeds.

This matter was Discussed.

This matter was already on the Council agenda.

20090966 Authorizing Resolution for Agreement of Sale with DMDA relating to DMDA Issuance of Revenue Bonds to Fund City Projects

Motion to approve document attached as document number 2. Explanation: This Resolution authorizes the City to execute and deliver an intergovernmental contract in the form of an Installment Purchase Agreement with DMDA in connection with the issuance by DMDA of not more than \$35,500,000 of its Revenue Bonds (City of Marietta Project) Series 2009 (the "Series 2009 Bonds"). The Series 2009 Bonds will be issued as tax-exempt obligations, taxable Build America Bonds, or as a combination of the two types of obligations, whichever will result in the lowest debt service payments on the Series 2009 Bonds. This Resolution also authorizes City officials to execute and deliver all documents and instruments necessary or appropriate in connection with the issuance of the Series 2009 Bonds.

This matter was Discussed.

This matter was already on the Council agenda.

20090967 Resolution Authorizing Cancellation and Discharge of All Outstanding DMDA Bonds relating to the Marietta Conference Center Project and Satisfaction of All Documents and Instruments relating to the Marietta Conference Center Project Bonds.

Motion to approve document attached as document number 3. Explanation: This Resolution authorizes the City to cancel and discharge all DMDA Marietta Conference Center Project Bonds currently held by the City as investments, in return for the termination of the City's obligations to make payments under the Conference Center Funding Agreements. The Conference Center Funding Agreements obligated the City to provide the funds required to pay debt service on DMDA's Marietta Conference Center Project Bonds. This Resolution authorizes the execution and delivery of all documents and instruments necessary or appropriate in connection with the termination of the City's obligations under the Conference Center Funding Agreements. This Resolution also approves and authorizes any or all actions of DMDA necessary or appropriate to cancel, discharge, and satisfy the Marietta Conference Center Project Bonds and all security for such Bonds, including, but not limited to, termination of the swap and the letter of credit.

This matter was Discussed.

This matter was already on the Council agenda.

Mayor Pro tem Jim King presided over the remainder of the meeting.

20090768 Rockford Commons

Amending Item #5 in the Letter of Stipulations dated March 21, 2006 from Garvis L. Sams, Jr. to Rusty J. Roth to allow construction of homes with a minimum of 2,000 square feet instead of 2,200 square feet.

A motion was made by Council member Chalfant, seconded by Council member Goldstein, that this matter be Recommended for Council Agenda Non Consent. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Council Agenda Non
Consent

20090883 Proposed changes to the Marietta Growth Fund

Motion approving the amended project description of the federal HUD EDI grant # B-05-SP-GA-0448 in the amount of \$99,200.00 from a loan program to a grant program for the Marietta Growth Fund as approved by the Director of the Congressional Grants Division, U. S. Dept. of Housing and Urban Development. And, acceptance of the revised Marietta Growth Fund grant guidelines pertaining to U.S. HUD grants funds only. (Exhibit A)

A motion was made by Council member Lewis, seconded by Council member Chalfant, that this matter be Recommended for Council Agenda Non Consent. The motion carried by the following vote:

Vote: 5 - 1 - 0

Vote Against: Rev. Anthony Coleman

Recommended for Council Agenda Non
Consent

20090872 Marietta Museum of History Board of Directors

Approval of a recommendation from the Marietta Museum of History to appoint Kee Carlisle to the Board of Directors.

A motion was made by Council member Goldstein, seconded by Council member Coleman, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

20090891 Construction Board of Adjustment and Appeals

Consideration of an appointment to the Construction Board of Adjustment and Appeals to fill the unexpired of Michael Hodnett (Ward 3) that expires on January 31, 2011.

A motion was made by Council member Walquist, seconded by Council member Chalfant, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

20090948 Draft Agenda

Review of the draft agenda for the September 9, 2009, regular city council meeting.

The following amendments were made to the draft agenda:

-Agenda items 20090876 and 20090882 were added to the consent agenda.

-Agenda item 20090925 was removed from the agenda.

This matter was Discussed.

20090949 Executive Session

Executive Session to discuss legal, personnel and/or real estate issues.

A motion was made in open session by Council member Goldstein, seconded by Council member Chalfant, to enter an Executive Session to discuss real estate acquisition. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein

The Executive Session was held (the Chairman's affidavit is attached hereto as Attachment A).

A motion was made in open session by Council member Goldstein, seconded by Council member Chalfant, to close the Executive Session. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein

ADJOURNMENT:

The meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____